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Security Council

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**Letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General**

I have the honour to inform you that on Thursday, 11 February 2016, the Security Council plans to hold a debate on the working methods of the subsidiary organs of the Security Council. The related concept note is annexed to the present letter.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Rafael **Ramírez**
Ambassador
Permanent Representative

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**Annex to the letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General**

**Concept note for the debate of the Security Council on the working methods of the subsidiary organs of the Security Council, 11 February 2016**

## I. Introduction

The subsidiary organs of the Security Council, in particular its sanctions committees, represent a meeting point between the United Nations sanctions system and Member States. The way the committees relate with affected States constitutes a key element in the functioning of the Organization's sanctions system.

Although sanctions committees have no formal authority to make binding decisions, they carry out substantial tasks, such as monitoring, informing, administering exemptions and listing and delisting individuals and entities. Therefore, their work demands further dissemination, coordination and review.

The general question of sanctions, including the working methods of sanctions committees, was a matter of review by the Security Council during the last decade. In 2000, the President of the Security Council established, by means of a presidential note (S/2000/319), an informal working group to review a series of items related to improving the effectiveness of sanctions committees. In 2006, the Council considered that the Informal Working Group on General Issues of Sanctions had concluded its work and did not renew its mandate.[1] However, 10 years later, there is renewed interest by Member States in continuing to address these issues. This is evidenced by the number of studies on the question of the working methods of the subsidiary organs of the Council — with an emphasis on sanctions committees — that have been published recently and that deserve consideration by the members of the Council.

The present concept note follows up on the measures contained in the notes by the President of the Security Council (S/2014/393 of 5 June 2014, S/2013/515 of 28 August 2013, S/2012/937 of 17 December 2012 and S/2010/507 of 26 July 2010) and the report of the Informal Working Group on General Issues of Sanctions (see S/2006/997, annex).

## II. Issues to be considered

### A. Transparency in the working methods of sanctions committees

Sanctions committees must establish appropriate arrangements and channels of communication with other bodies and entities of the United Nations, as well as with regional and subregional organizations and neighbouring and other affected countries, in order to promote greater understanding of the nature and extent of sanctions regimes and their potential unintended consequences.

[1] See Security Council resolution 1732 (2006).

In recent years, some sanctions committees have undertaken the practice of inviting affected States to take part in their meetings. In the same way, the Chairs of sanctions committees have conducted field visits and have issued press releases related to the committees' activities, which constitute steps of major progress. However, there is still much more to do in order to improve the dissemination of information, transparency and the coordination of the activities of sanctions committees. Some measures the Security Council might take into account in order to improve the transparency of its sanctions committees include:

(a) More frequent open interactive briefings by the Chairs of sanctions committees with non-members of the Council;

(b) More frequent consultations with countries affected by sanctions regimes;

(c) Greater dissemination and diffusion of information concerning the activities of sanctions committees in the international media;

(d) Regular circulation of detailed summary records of sanctions committees' meetings;

(e) Greater and clearer dissemination of information concerning the duration of sanctions, including actions to be undertaken by individuals and entities under sanctions in order to have sanctions lifted.

## B. Preparation of new Security Council members

Under the Council's present arrangements, the new members of the Council, which must chair sanctions committees, are selected only a couple of weeks before beginning their functions and receive little to no support from the Secretariat during the preparatory stage. In this regard, the following measures should be taken into account:

(a) The Security Council should select the Chairs of sanctions committees in a balanced, transparent, efficient and inclusive manner, through dialogue and interaction among all Council members;

(b) The Security Council should appoint the Chairs of its sanctions committees as early as possible after the new Council members are elected;

(c) The Security Council Subsidiary Organs Branch should facilitate private meetings between outgoing and incoming Chairs to discuss each committee's work and contribute to the leadership transition;

(d) The Security Council Subsidiary Organs Branch should organize thorough training on specific sanctions regimes and its working methods for the Chairs of committees and delegates appointed to assist them;

(e) The Chairs of sanctions committees, with the support of the Security Council Subsidiary Organs Branch, should hold regular meetings on improving coordination and sharing information;

(f) The Chairs of sanctions committees and the penholders should hold regular meetings to better assess the role of sanctions in the overall political strategy.

### C. Unintended impact of selective and sectoral sanctions

Sanctions, even those that are selective or sectoral, frequently result in unintended consequences, including a negative humanitarian impact on the civilian population, high economic costs for neighbouring countries and the criminalization of basic economic activities. In line with Article 50 of the Charter of the United Nations, the Security Council should consider, for instance, the effect of sectoral sanctions on the legitimate trade of natural resources and the impact on the legitimate sources of livelihood of artisanal communities and, if necessary, develop specific assistance for those affected. Sanctions can also affect the work of humanitarian workers on the ground, since the imposition of sanctions in a particular country may cause serious problems for raising funds for humanitarian activities in that country. In addition, negative propaganda about United Nations sanctions can adversely affect the freedom of movement and the safety of United Nations humanitarian staff in the affected country or region.

In this regard, the Security Council might consider, among other measures:

(a) Including, in the mandate of expert groups of sanctions committees, a review of the impact of selective or sectoral sanctions on affected countries and civilian populations and on the activities of humanitarian actors on the ground;

(b) Requesting the Secretary-General to provide a comprehensive report on the impact of selective or sectoral sanctions on affected countries and civilian populations and on the activities of humanitarian actors on the ground, including possible measures to address such unintended consequences.

## III. Briefers

Cristián Barros Melet, Permanent Representative of Chile to the United Nations and former Chair of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire and of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan.

Olof Skoog, Permanent Representative of Sweden to the United Nations (sponsor and organizer of the High-level Review of United Nations Sanctions).

## IV. Participants

Member States subject to sanctions regimes will be invited to participate under rule 37 of the provisional rules of procedure of the Security Council.

## V. Expected results

A note by the President of the Security Council outlining the recommendations contained in the present concept note is an expected result.